

Amendments to the Drawings:

The drawing sheets attached in connection with the above-identified application containing Figures 1-2 and 10 are being presented as new formal drawing sheets to be substituted for the previously submitted drawing sheets. The drawing Figures 1-2 and 10 have been amended. Specifically, Figures 1-2 and 10 have been amended to label elements 4 and 5 in Figure 1, elements 15-18 in Figure 2, and elements 97-102 in Figure 10 with appropriate legends. Appended to this amendment is an annotated copy of the previous drawing sheets which have been marked to show changes presented in the replacement sheets of the drawings.

REMARKS

Applicants acknowledge receipt of an Office Action dated August 18, 2006. In this response, Applicants have canceled claims 1-6, 10-18 and 21 without prejudice or disclaimer, and amended claims 7, 8 and 19. Following entry of these amendments, claims 7-9 and 19-20 are pending in the application.

Reconsideration of the present application is respectfully requested in view of the foregoing amendments and the remarks which follow.

Allowable Subject Matter

Applicants appreciate the indication of allowable subject matter in claims 7-9. Claims 7 and 8 have been amended to be in independent form and are thus in *prima facie* condition for allowance. Claim 9 depends from claim 8 and thus is likewise believed to be in *prima facie* condition for allowance.

Claims 19 and 20 were not rejected under 35 U.S.C. §§ 102 and 103, and are thus presumed to contain allowable subject matter. Claim 19 has been amended to be in independent form. Claim 20 depends from claim 19.

Drawing Objections

Figures 1-3 were objected to. In particular, the Office Action indicated that structural elements with the reference numerals 4 and 5, 15-18, and 97-102 must have a suitable legend. Figures 1-2 and 10 have been amended to label elements 4 and 5 in Figure 1, elements 15-18 in Figure 2, and elements 97-102 in Figure 10 with appropriate legends (Figure 10, not Figure 3, has elements 97-102). Accordingly, applicants submit that the objection to the drawings has been overcome.

Rejections Under 35 U.S.C. § 112

Claims 1-20 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. In particular, the Office Action stated on page 3:

Claims 1 and 11 recites, "multiplexing formatted optical signal" It is unclear how the signal is being multiplexing formatted.

Claim 6 recite, “at least one SOA comprises two or more SOAs” It is unclear what is meant by one SOA comprises two or more SOAs.

These rejections are moot with respect to claims 1-6, 10-18 and 21, which have been cancelled. With respect to independent claims 7 and 8, which have been amended to include the features of claim 1, and independent claim 19, which has been amended to include the features of claim 11, applicants submit that the term “multiplexing formatted optical signal” is definite without amendment. There is no requirement that the specific fashion in which such signals are generated or received be in the claim. Moreover, claims 7, 8 and 19 recite details of how the signals are received (claim 7) or generated (claims 8 and 19). Claims 9 and 20 depend from claims 8 and 19, respectively, and are likewise definite. See also paragraph 0036 and 0037 of the specification, which describe how signals are being multiplexing formatted in a first exemplary embodiment. Accordingly, applicants submit that the rejection has been overcome.

Rejections Under 35 U.S.C. §§ 102 and 103

In the Office Action, the PTO has set forth a number of rejections under 35 U.S.C. §§ 102 which Applicants summarize below:

- On page 3 of the Office Action, the PTO has rejected claims 1 and 2 as being anticipated by U.S. Publication 2004/0109691 to Miyazaki.
- On page 4 of the Office Action, the PTO has rejected claims 1, 3, and 21 as being anticipated by U.S. Publication 2003/0223462 to Fu et al. (hereinafter “Fu”).
- On page 5 of the Office Action, the PTO has rejected claims 11, 13, and 15-18 as being anticipated by U.S. Publication 2001/0021288 to Watanabe et al. (hereinafter “Watanabe”).
- On page 9 of the Office Action, the PTO has rejected claims 12 and 14 as being anticipated by Watanabe in view of Fu.

In the Office Action, the PTO has set forth a number of rejections under 35 U.S.C. § 103(a) which Applicants summarize below:

- On page 7 of the Office Action, the PTO has rejected claims 4 and 10 as being unpatentable over Fu.
- On page 8 of the Office Action, the PTO has rejected claim 2 as being unpatentable over Fu in view of Miyazaki.
- On page 9 of the Office Action, the PTO has rejected claims 5 and 6 as being unpatentable over Fu in view of prior art disclosed by applicants.

These rejections are moot in light of the cancellation of claims 1-6, 10-18 and 21.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that all of the pending claims are now in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

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THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED REGARDING THIS APPLICATION UNDER 37 C.F.R. §§ 1.16-1.17, OR CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 19-0741. SHOULD NO PROPER PAYMENT BE ENCLOSED HEREWITH, AS BY A CHECK BEING IN THE WRONG AMOUNT, UNSIGNED, POST-DATED, OTHERWISE IMPROPER OR INFORMAL OR EVEN ENTIRELY MISSING, THE COMMISSIONER IS AUTHORIZED TO CHARGE THE UNPAID AMOUNT TO DEPOSIT ACCOUNT NO. 19-0741. IF ANY EXTENSIONS OF TIME ARE NEEDED FOR TIMELY ACCEPTANCE OF PAPERS SUBMITTED HEREWITH, APPLICANTS HEREBY PETITIONS FOR SUCH EXTENSION UNDER 37 C.F.R. § 1.136 AND AUTHORIZES PAYMENT OF ANY SUCH EXTENSIONS FEES TO DEPOSIT ACCOUNT NO. 19-0741.

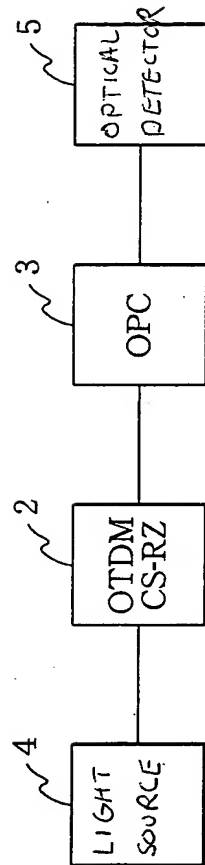
Annotated Sheet
Title: AN OPTICAL SIGNAL TRANSMISSION
DEVICE

Inventor(s): Jun INOUE et al.

Appl. No.: 10/615,394

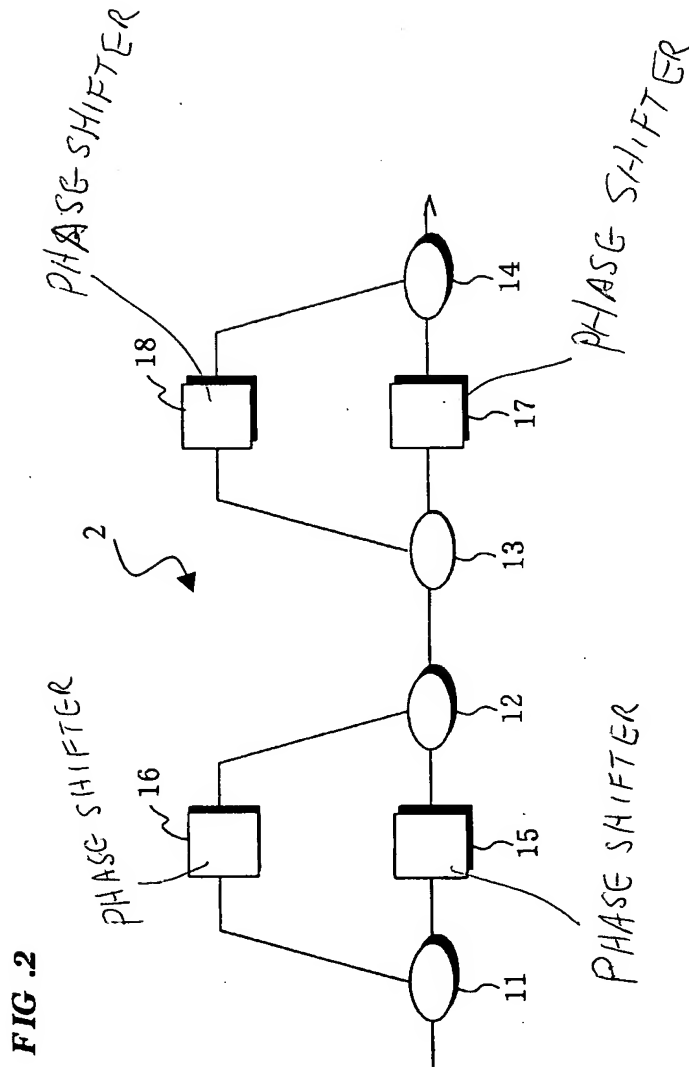


FIG.1



Annotated Sheet
Title: AN OPTICAL SIGNAL TRANSMISSION
DEVICE

Inventor(s): Jun INOUE et al.
Appl. No.: 10/615,394



Annotated Sheet
 Title: AN OPTICAL SIGNAL TRANSMISSION
 DEVICE

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FIG. 10

